

08/02/01



J1059 U.S. PTO

BOX PATENT APPLICATION

Attorney Docket No.: AR762-XXA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gregory S. HAMILTON, et al.

Serial No. Not yet assigned

Filed: August 2, 2001

Title: **CARBOXYLIC ACIDS AND CARBOXYLIC ACID ISOSTERES OF N-HETEROCYCLIC COMPOUNDS**

(Divisional of U.S. Patent Application No. 09/453,571, filed December 2, 1999, which is a continuation-in-part application of U.S. Patent Application No. 09/204,237, filed on December 3, 1998, which is a continuation-in-part application of U.S. Patent Application No. 60/087,788, filed on June 3, 1998)

TRANSMITTAL LETTER

The Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Divisional U.S. Patent Application;
- (3) Divisional application including:
 - 165 Pages Application Consisting of:
 - 119 Pages of Textual Specification
 - 33 Pages of 82 Claims
 - 1 page containing the Abstract of the Disclosure
 - 12 sheets of drawings
- (4) Copies of executed Declaration
- (5) Copies of Assignments with stamped filing receipts
- (6) Check No. 15262 \$2,546.00 for filing fee, 62 extra claims fee and 9 extra independent claims fee
- (7) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:

Gary M. Nath
Registration No. 26,965
Todd L. Juneau
Registration No. 40,669
Joshua B. Goldberg
Registration No. 44,126
Customer No. 20529

Date: August 2, 2001
NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
GMN/TLJ/JBG/lS:DIVappl.trans



JC978 U.S. PTO

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#2A
LB
9/4/01

FILING FORM

FOR DIVISIONAL U.S. PATENT APPLICATION

Commissioner of Patents
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
- ☐ Continuation Application under:
 - ☐ 37 CFR § 1.53(b) (1)
 - ☒ Divisional Application under:
 - ☒ 37 CFR § 1.53(b) (1)
 - ☐ Continuation-In-Part (CIP) application
 - ☐ 37 CFR § 1.53(b) (2)

of **prior** ("parent") application:

Serial No. 09/453,571

Filed: December 2, 1999

Entitled: **CARBOXYLIC ACIDS AND CARBOXYLIC ACID ISOSTERES OF N-HETEROCYCLIC COMPOUNDS**

which is a continuation-in-part of:

Serial No. 09/204,237

Filed: December 3, 1998

Entitled: **CARBOXYLIC ACIDS AND CARBOXYLIC ACID ISOSTERES OF N-HETEROCYCLIC COMPOUNDS**

(Application was subsequently abandoned)

which is a continuation-in-part of:

Serial No. 60/087,788

Filed: December 3, 1998

Entitled: **CARBOXYLIC ACIDS AND CARBOXYLIC ACID ISOSTERES OF N-HETEROCYCLIC COMPOUNDS**

(Application was subsequently abandoned)

2. X Enclosed for application under 37 CFR §§ 1.53(b) are:
153 pages of text (specification, claims, abstract)
82 claims
12 sheets of drawings

3. The **present** application names the following inventor(s):

Gregory S. HAMILTON, Mark H. NORMAN and Yong-Qian WU

— (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

— Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.

— Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)		(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	82	minus 20	62	x9=	0		x18=	1,116
INDEP	12	minus 3	9	x40=	0		x80=	720
BASE FILING FEE:				+355=	0		+710=	710
<u>xx</u> Multiple Dependent Claims				+130=	0		+270=	0
				TOTAL	0	OR TOTAL		2,546

— Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:
 — was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);
 — is filed herewith;
 — will be filed at a later date.

- ☒ A check including the above-indicated filing fee is enclosed.
- ☐ A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$ extension fee.
- ☐ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.
- ☐ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

☒ The prior application is assigned of record to by Inventors Gregory S. Hamilton and Yong-Qian Wu to Guilford Pharmaceuticals, 6611 Tributary Street, Baltimore, Maryland 21224, the Assignment being recorded on January 4, 2000, on Reel 010504, Frame(s) 0150, which in turn assigned the application to GPI NIL Holdings, Inc., 222 Delaware Avenue, Wilmington, Delaware 19899, the Assignment being recorded on July 27, 2001.

The prior application is assigned of record to by Inventor Mark H. Norman to Amgen Inc., One Amgen Center Drive, Patent Operations M/S 27-4-A, Thousand Oaks, California 91320-1789, the Assignment being recorded on January 4, 2000, on Reel 010504, Frame(s) 0135.

☐ An original executed Declaration is enclosed.

☒ Amend the specification by inserting before the first line the sentence:

AI
--This application is a divisional application of U.S. patent application Serial No. 09/453,571, filed December 2, 1999, which is a continuation-in-part of U.S. patent application Serial No. 09/204,237, filed December 3, 1998, which is a continuation-in-part of U.S. patent application Serial No. 60/087,788, filed June 3, 1998, the entire contents of which are hereby incorporated by reference in its entirety.--

☐ Foreign priority under 35 U.S.C. § 119 of application(s) , filed , is hereby claimed. The certified priority paper(s):
☐ was/were filed in the parent case;

___ is/are enclosed herewith;
___ will be submitted at a later date.

X The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965; Todd L. Juneau, Registration No. 40,669; Harold L. Novick, Registration No. 26,011; Lee C. Heiman, Registration No. 41,827; Jerald L. Meyer, Registration No. 41,194; and Joshua B. Goldberg, Registration No. 44,126; Customer No. 20529.

X The power appears in the original papers in the prior application.

X Address all future communications to:

Gary M. Nath
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1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

___ If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath

Date: August 2, 2001
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